

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-10, 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 9-10 and 14 are indefinite as they fail to claim any additional structure further limiting the structure recited in the previous claims.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim(s) 1-3 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Pidgeon (4886399)

claim 1.

A method of constructing a composite foundation structure including the steps of:

providing a plurality of panels, 20/22;

arranging the panels to provide shuttering defining a grid of

intersecting channels 14/16 for receiving settable material; Figure 1-2

casting settable material into the channels, see abstract; and  
allowing the settable material to set and to bond to the shuttering  
that the panels are incorporated into the foundation structure  
as an integral part thereof. See figure 3  
claim 2.

Pidgeon discloses A method according to claim 1, which includes the further step of  
providing a level surface 24/34 on which the shuttering is constructed; see figure 3  
claim 3.

Pidgeon discloses a method according to claim 1 or 2 wherein the shuttering are  
arranged such that they form (rectangular) angular structures each defining an  
internal opening A, the grid of channels being defined between adjacent  
structures.

Claim 11.

Pidgeon discloses a foundation structure comprising a grid of intersecting beams of set  
-settable material--and-shuttering-of-pre-cast-panels-bonded-to-the  
settable material. See above.

Claim 12.

Pidgeon discloses a foundation structure according to claim 11 wherein the shuttering is  
of settable material.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 7-14 are is rejected under 35 U.S.C. 103(a) as being unpatentable over Pidgeon in view of Wendelken (2386020) claim 4.

Wendelken discloses a method wherein adjacent subterranean structures are connected to and spaced from each other with spacers A. In view of the above, it would have been obvious to space the adjacent structures by spacers to aid in irrigation around the structures as shown by Wendelken claims 7-8 and 13.

The type of concrete has been considered a matter of choice. Pidgeon discloses a foundation particularly suited for troublesome soil conditions..as is applicants foundation structure. One of ordinary skill in the art would have appreciated using any type of concrete commensurate with the above function and purpose ..

For claims 9-10 and 14, see 112 rejection above.

Claims 5-6 are objected to as depending upon a rejected base claim but would be considered allowable if amended to include the base claim and any intervening claims

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E. Jeanette whose telephone number is 571-

272-6841. The examiner can normally be reached on Mon.-thursday, 8:30-6:00, every fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JEANETTE CHAPMAN/  
PRIMARY EXAMINER  
ART UNIT 3633

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